

## REMARKS

This application has been carefully reviewed in light of the Office Action dated November 7, 2008. Claims 1 to 4, 6 to 13, 15 to 18, 20 and 22 to 26 are now pending in the application, with Claims 23 to 26 having been newly-added, and Claims 5 and 14 having been cancelled. Claims 1, 10 and 20 are independent. Reconsideration and further examination are respectfully requested.

As an initial matter, it is noted that the Office Action only lists Claims 1 to 20 as pending. However, Claims 1 to 18, 20 and 22 were pending. An action on the merits for Claim 22 was not issued. Thus, the Examiner is requested to issue an action for Claim 22 in the next communication.

Claims 1 to 6 and 10 to 20 were rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 7,136,927 (Traversat) in view of U.S. Patent No. 6,839,769 (Needham), Claims 7 and 8 were rejected under 35 U.S.C. § 103(a) over Traversat in view of Needham and further in view of U.S. Patent No. 7,154,621 (Rodriguez) and U.S. Publication No. 2002/0141499 (Goertzen), and Claim 9 was rejected under § 103(a) over Traversat in view of Needham and further in view of U.S. Patent No. 6,628,843 (Eschbach) and Goertzen. Reconsideration and withdrawal of the rejections are respectfully requested.

The claims generally concern allocating a service by a first peer to a second peer. In the claims, preferences of the first peer are initialized, which comprise a set of associations consisting of a service and a distance in a graphic of peers. A distance between the first and second peers is evaluated, where the distance is a distance in the graphic of peers. The first peer that allocates the service selects a service according to the

evaluated distance from among the set of associations consisting of the service and the distance, and then allocates the selected service to the second peer.

Referring specifically to the claim language, independent Claim 1 is directed to a method of allocating at least one service by a first peer to a second peer, the first and second peers being linked by means of a computer communication network, the first and second peers belonging respectively to a first and second group of peers adapted to share data, comprising the steps of, initializing preferences of the first peer, wherein the preferences comprise a set of associations consisting of a service and a distance in a graphic of peers, evaluating a distance between the first and second peers, wherein the distance between the first and second peers is a distance in the graphic of peers, selecting, by the first peer, a service supplied by the first peer, the service being selected according to the evaluated distance from among the set of associations consisting of the service and the distance, and allocating the selected service to the second peer.

Claims 10 and 20 are apparatus and computer-readable medium claims, respectively, that substantially correspond to Claim 1.

The applied art, alone or in any permissible combination, is not seen to disclose or to suggest the features of the claims, and in particular, is not seen to disclose or to suggest at least the features of (i) initializing preferences of a first peer, wherein the preferences comprise a set of associations consisting of a service and a distance in a graphic of peers, and (ii) selecting, by the first peer, a service supplied by the first peer, the service being selected according to an evaluated distance from among the set of associations consisting of the service and the distance, and allocating the selected service to the second peer.

Traversat is seen to disclose a system and method for sending, resolving, and receiving queries for information on the status of network resources. A peer computing system may include one or more resolver nodes on a network for resolving queries for a resource to particular resource instances. The resolver nodes may receive query messages from peer nodes on the network.

The Office Action admits on page 4 that Traversat fails to teach “wherein said distance between said first and second peers is a distance in a graphic of peers, and selecting a service allocated by said first peer (E) according to the evaluated distance”.

Traversat is also not seen to disclose or suggest (i) initializing preferences of a first peer, wherein the preferences comprise a set of associations consisting of a service and a distance in a graphic of peers, and (ii) selecting, by the first peer, a service supplied by the first peer, the service being selected according to an evaluated distance from among the set of associations consisting of the service and the distance, and allocating the selected service to the second peer.

As understood by Applicants, Needham is seen to disclose limiting the propagation of requests for a file in a peer to peer network by sharing an index information packet associated with the file. A node that has received the index information packet requests the file by sending a request packet to other nodes on the network. The request packet includes a request limit propagation field set to a distance from creator (DFC) field of the index information packet received by the requesting node. Each node receiving the request packet increments a propagation counter of the request packet, and compares the incremented propagation counter to the request limit propagation field before forwarding the request packet to the next node. If the request propagation limit is reached, the

receiving node does not forward the request packet. Once the requested file has been located at various nodes, the requesting node may choose from which of the nodes to retrieve the file. See Needham, column 4, line 29 to column 5, line 5.

Thus, Needham merely limits the propagation of requests for a file beyond a certain distance, but the node supplying the requested file in Needham is not seen to have any initialized preferences comprising a set of associations consisting of a service and a distance in a graphic of peers. Therefore, Needham is not seen to disclose or suggest (i) initializing preferences of a first peer, wherein the preferences comprise a set of associations consisting of a service and a distance in a graphic of peers.

In addition, the node supplying the requested file in Needham is not seen to select a file according to an evaluated distance, let alone from among the set of associations consisting of the service and the distance in a graphic of peers. Therefore, Needham is also not seen to disclose or to suggest (ii) selecting, by a first peer, a service supplied by the first peer, the service being selected according to an evaluated distance from among a set of associations consisting of a service and a distance, and allocating the selected service to a second peer.

Rodriguez is seen to disclose an Internet delivery method for digitized photographs. Photographs are first scanned at scan centers to form digitized photographs. Lower resolution copies of the digitized photographs are transferred to a central server using a relatively low bandwidth connection, whereas, higher resolution copies of the digitized photographs are transferred to the central server using a relatively high bandwidth connection.

However, Rodriguez is not seen to teach anything that, when combined with Traversat and/or Needham, would have resulted in the features of (i) initializing preferences of a first peer, wherein the preferences comprise a set of associations consisting of a service and a distance in a graphic of peers, and (ii) selecting, by the first peer, a service supplied by the first peer, the service being selected according to an evaluated distance from among the set of associations consisting of the service and the distance, and allocating the selected service to the second peer.

Goertzen is seen to disclose a scalable motion image compression system for a digital motion image signal. The scalable motion image compression system includes a decomposition module for decomposing the digital motion image signal into component parts and a compression module for compressing each of the component parts. The compression module sends each of the compressed component parts to a memory location.

However, Goertzen is not seen to teach anything that, when combined with Traversat, Needham and/or Rodriguez, would have resulted in the features of (i) initializing preferences of a first peer, wherein the preferences comprise a set of associations consisting of a service and a distance in a graphic of peers, and (ii) selecting, by the first peer, a service supplied by the first peer, the service being selected according to an evaluated distance from among the set of associations consisting of the service and the distance, and allocating the selected service to the second peer.

Eschbach is seen to disclose a method of enhancing JPEG compressed image data including a plurality of DC components. The DC components are extracted from the JPEG compressed image data to obtain a statistical sub-sampling of an input digital image represented by the JPEG compressed image data. The extracted DC

components are then used to derive a final correction tone reproduction curve and/or a sharpness filter for enhancement of the input digital image.

However, Eschbach is not seen to teach anything that, when combined with Traversat, Needham, Rodriguez and/or Goertzen would have resulted in the features of (i) initializing preferences of a first peer, wherein the preferences comprise a set of associations consisting of a service and a distance in a graphic of peers, and (ii) selecting, by the first peer, a service supplied by the first peer, the service being selected according to an evaluated distance from among the set of associations consisting of the service and the distance, and allocating the selected service to the second peer.

In view of the foregoing amendments and remarks, independent Claims 1, 10 and 20, as well as the claims dependent therefrom, are believed to be allowable.

No other matters having been raised, the entire application is believed to be in condition for allowance and such action is respectfully requested at the Examiner's earliest convenience.

Applicants' undersigned attorney may be reached in our Costa Mesa,  
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our below-listed address.

Respectfully submitted,

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